

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

FORT PIERCE DIVISION

CASE NO. 23-80101-CRIMINAL-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

FORT PIERCE, FLORIDA

vs.

AUGUST 10, 2023

DONALD J. TRUMP, WALTINE NAUTA
and CARLOS DE OLIVEIRA,

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Defendants.

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TRANSCRIPT OF ARRAIGNMENT HEARING

BEFORE THE HONORABLE SHANIEK MAYNARD

UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

FOR THE GOVERNMENT: JAY BRATT, ESQ.
DAVID HARBACH, ESQ.
U.S. Department of Justice
Office of Special Counsel
Washington, DC 20530

FOR DEFENDANT TRUMP: CHRISTOPHER KISE, ESQ.
Continental PLLC
Tallahassee, FL 32301

TODD BLANCHE, ESQ.
Blanche Law
New York, NY 10005

FOR DEFENDANT NAUTA: STANLEY WOODWARD, ESQ.
Brand Woodward Law
Washington, DC 20001

SASHA DADAN, ESQ.
Dadan Law Firm, PLLC
Fort Pierce, FL 34950

FOR DEFENDANT DE OLIVEIRA: JOHN IRVING, ESQ.
E & W Law
Washington, DC 20004

DONNIE MURRELL, ESQ.
L.D. Murrell, P.A.
West Palm Beach, FL 33401

P-R-O-C-E-E-D-I-N-G-S

THE COURT: Good morning, everyone. You may be seated.

THE COURTROOM DEPUTY: United States of America versus Donald J. Trump and others, 23-80101-CR-Cannon/Reinhart.

THE COURT: All right. Good morning, everyone.

May I have Counsel's appearances starting with the Government.

MR. BRATT: Good morning, Your Honor; Jay Bratt and David Harbach from the Special Counsel's Office on behalf of the United States.

THE COURT: Good morning, Mr. Bratt.

And may I have appearance from Defendants.

MR. BLANCHE: Good morning, Your Honor; Todd Blanche and Chris Kise or President Trump.

MR. KISE: Good morning.

THE COURT: Good morning.

Who is here on behalf of Mr. Nauta?

MS. DADAN: Good morning; Sasha Dadan on behalf of Mr. Nauta, and Stanley Woodward on behalf of Mr. Nauta.

THE COURT: Counsel, can you spell your last name for me?

MS. DADAN: D-A-D-A-N.

THE COURT: Thank you.

And remaining Counsel.

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1 MR. MURRELL: Good morning, Judge; Donnie Murrell
2 on behalf of Mr. De Oliveira along with John Irving on
3 behalf of Mr. De Oliveira.

4 THE COURT: Good morning, Mr. Murrell and Mr. Irving.

5 MR. IRVING: Good morning.

6 THE COURT: Okay. We are here for an arraignment on
7 the superseding indictment for Mr. Trump and Mr. Nauta and also
8 for a report re counsel and an arraignment on the indictment
9 for Mr. De Oliveira.

10 Before we begin, I would like to thank the United
11 States Marshals for their effort in ensuring everyone's
12 security and safety; the Clerk of Court and her staff,
13 particularly my assigned courtroom deputy for assisting and
14 arranging today's hearing.

15 I want to remind everyone present in both the
16 courtroom and the overflow room of the Court's rules regarding
17 electronic devices and prohibiting broadcasting. There is no
18 permitted possession of cell phones or any other electronic
19 equipment in the courthouse.

20 There is to be no photography, video recording,
21 broadcasting, or filming of any kind in the courtroom, in the
22 overflow room, or anywhere in the building. There is to be no
23 circumventing of this rule which means for those who are
24 located in the overflow room, you may not record or broadcast
25 what you see on TV because, obviously, that would defeat the

1 entire purpose of the prohibition.

2 So we are going to start with the case against
3 Mr. Trump. I note that Mr. Trump has signed a form waiving his
4 appearance for today's arraignment; is that correct, Counselor?

5 MR. BLANCHE: Yes, it is, Your Honor. I have
6 discussed the superseding indictment with President Trump. I
7 have discussed his rights to be present and his rights to waive
8 being present. He understands them. He has signed the waiver
9 waiving his right to be here today. He waives the public
10 reading of a superseding indictment and has authorized me to
11 enter a plea of not guilty on the superseding indictment.

12 THE COURT: Okay. I have received your waiver, and I
13 have reviewed that waiver. I see that it does comply with
14 Rule 10 of the Federal Rules of Criminal Procedure, so I will
15 go ahead and approve the waiver at this time. And that waiver
16 will be filed in the record in this case.

17 MR. BLANCHE: Thank you.

18 THE COURT: At this time, I will accept the
19 defendant's plea of not guilty. I will enter -- I will accept
20 his demand for a trial by jury, and I remind the parties that
21 Judge Goodman entered a standing discovery order and a *Brady*
22 order in this case on June 13th of 2023, and the parties'
23 obligations under that order still apply.

24 Is there anything else I need to do in this case
25 today regarding your client?

1 MR. BLANCHE: No, Your Honor. Thank you.

2 THE COURT: All right.

3 Anything from the Government regarding this
4 particular defendant?

5 MR. BRATT: No, Your Honor.

6 THE COURT: Okay. Next, I will address Mr. Nauta.

7 MR. WOODWARD: Good morning, Your Honor.

8 Do you have a preference as to whether I stand at the
9 podium or --

10 THE COURT: Why don't you come to the podium just to
11 make sure everyone is recorded, and it is on the microphone.

12 MR. WOODWARD: Good morning, Your Honor.

13 THE COURT: Counsel, could you give me your name
14 again.

15 MR. WOODWARD: Yes, ma'am; Stanley Woodward on behalf
16 of Mr. Nauta who is also present.

17 Your Honor, we have reviewed the superceding
18 indictment with Mr. Nauta. He understands the contents of the
19 superseding indictment including the nature of the additional
20 charges as against him specifically, and he will waive formal
21 reading of the indictment; and with the Court's permission, he
22 will enter a plea as to not guilty as to the additional charges
23 as against him.

24 Of course, we also reiterate our express desire not
25 to -- expressed desire to assert all rights under the Fifth and

1 Sixth Amendments.

2 THE COURT: Thank you, Mr. Woodward.

3 And good morning, Mr. Nauta.

4 THE DEFENDANT: Good morning, Your Honor.

5 THE COURT: Your lawyer indicates that you have
6 received a copy of the indictment and you have been able to
7 discuss the charges and penalties with him; is that correct?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Okay. And without asking whether
10 anything in the indictment is true or false, do you understand
11 the charges and the possible penalties?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: All right. At this time, I will enter
14 Mr. Nauta's plea of not guilty to all charges. I will accept
15 his demand for a trial by jury, and I note that Mr. -- that
16 Judge Goodman entered a standing discovery order and a *Brady*
17 order in this case on July 6th of 2023, and the parties'
18 obligations under that order still apply.

19 Mr. Woodward, is there anything else I need to do in
20 this matter regarding your client?

21 MR. WOODWARD: No, Your Honor. We appreciate the
22 Court's time, and we reiterate the Court's thanks for all of
23 those who helped make today possible.

24 THE COURT: All right, thank you.

25 Have a good day, Mr. Nauta.

1 THE DEFENDANT: Thank you, Your Honor.

2 THE COURT: Okay. And at this time, I will address
3 Mr. De Oliveira and his counsel.

4 Good morning, Mr. De Oliveira.

5 Is Mr. De Oliveira here?

6 MR. IRVING: Yes.

7 THE COURT: Oh, good morning, sir.

8 THE DEFENDANT: Good morning.

9 THE COURT: All right. We are here for a report re
10 counsel and an arraignment. Let's start with the report re
11 counsel.

12 At the initial appearance before Judge Torres last
13 week, Mr. Irving appeared as temporary counsel of record for
14 Mr. De Oliveira. Local counsel has not yet been retained.
15 Where are we today in terms of permanent counsel for your
16 client?

17 MR. IRVING: Yes. Good morning, Your Honor; John
18 Irving on behalf of Mr. De Oliveira.

19 We believe that we have that ironed out. I will
20 continue to represent Mr. De Oliveira and that we have Florida
21 counsel lined up, just waiting for a few details that should be
22 resolved if not immediately in the next half hour or so.

23 MR. MURRELL: Good morning, Judge.

24 THE COURT: Good morning.

25 MR. MURRELL: Judge, we still have a few details to

1 take care of --

2 THE COURT: For the record, Mr. Donnie Murrell.

3 MR. MURRELL: Sorry. Yes, ma'am.

4 I'm trying to make those cleared it up as quickly as
5 I can. If you want to -- well, this is the end of the docket,
6 isn't it?

7 THE COURT: This is the end of the docket, yes.

8 Are you expecting to file a notice of appearance by
9 the end of the day?

10 MR. MURRELL: I can't guarantee you that. I can tell
11 you this. We have it drafted; we have the motion for pro hac
12 vice ready to file; we are just waiting for some confirmation;
13 and as soon as we get that, we will file those things.

14 THE COURT: Okay. And how long do you think that
15 will take?

16 MR. MURRELL: I think at the latest tomorrow
17 afternoon.

18 THE COURT: Okay. Well, the rule requires entry of
19 permanent counsel before we arraign him.

20 MR. MURRELL: Yes, ma'am.

21 THE COURT: So I know a lot of preparation has been
22 made to get this all together today; but under these
23 circumstances, what is your recommendation, Mr. Murrell.

24 MR. MURRELL: Judge, if you are willing to allow us
25 to waive his presence, we can -- we can handle that arraignment

1 as soon as possible.

2 THE COURT: Okay. He can certainly waive his
3 presence. I know, Mr. Murrell, you are familiar with our
4 procedures, so you can get a copy of the waiver form.

5 MR. MURRELL: Yes, ma'am.

6 THE COURT: And I will go over that with him, with
7 you, at that time.

8 Mr. De Oliveira, I just want to make sure you
9 understand, sir, what is going on. Our rules require you to
10 have permanent counsel of record before we can proceed with
11 your formal arraignment in this case. Your lawyers have
12 indicated that they are very close to getting that handled both
13 with your local counsel, and then he will do a motion for
14 Mr. Irving to also be able to represent you, but it's not quite
15 done today. So what I'm going to do is I'm going to reset
16 this -- you said --

17 Mr. Murrell, go ahead.

18 MR. MURRELL: Judge, it was just pointed out to me,
19 there is another hearing scheduled for the 25th.

20 THE COURT: But I think the district judge, who is
21 Judge Cannon, would like for this to be situated before that
22 hearing. We want to get counsel situated. We want to get the
23 arraignment done, and then everyone will be ready to go for
24 that hearing on the 25th.

25 MR. MURRELL: I understand.

1 THE COURT: So when would you like me to reset this
2 for next week, Mr. Murrell?

3 MR. MURRELL: Would Tuesday or Wednesday be all
4 right?

5 THE COURT: Miss Brown, how do we look on Tuesday
6 morning?

7 THE COURTROOM DEPUTY: Your Honor, Tuesday morning is
8 clear.

9 THE COURT: Okay. So I will reset this for a report
10 re counsel and arraignment for Tuesday morning.

11 Ms. Brown, what is the date, please?

12 THE COURTROOM DEPUTY: Tuesday, August 15th, 2023.

13 THE COURT: Okay. So that will be Tuesday,
14 August 15th, 2023, at 10:00 A.M. At that time, hopefully,
15 Counsel will have entered all of the notices of appearance, and
16 we will arraign Mr. De Oliveira; and if he has filled out a
17 waiver form, I'll go over that waiver, and we will get the ball
18 rolling in his case.

19 MR. MURRELL: Yes, ma'am.

20 THE COURT: Mr. Murrell, is there anything else I
21 need to do in this matter today?

22 MR. MURRELL: I don't believe so.

23 THE COURT: Mr. Irving?

24 MR. IRVING: None, Your Honor. Thank you.

25 THE COURT: All right. Have a good afternoon. I

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will see you next week.

Anything else from the Government?

MR. BRATT: No, Your Honor.

THE COURT: All right. Thanks everyone, take care.

THE COURTROOM DEPUTY: All rise.

(PROCEEDINGS ADJOURNED AT 10:13 a.m.)

C-E-R-T-I-F-I-C-A-T-E

I hereby certify that the foregoing is
an accurate transcription and proceedings in the
above-entitled matter.

9/1/2023

DATE

/s/DIANE MILLER

DIANE MILLER, RMR, CRR, CRC
Official Court Reporter
United States District Court
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Thursday, August 10, 2023.